

VILLAGE OF ANTIOCH
PLANNING AND ZONING BOARD
THE BOARD ROOM, VILLAGE HALL
874 MAIN STREET, ANTIOCH, ILLINOIS

January 12, 2006

CALL TO ORDER:

The meeting of the Antioch Planning and Zoning Board was called to order by Chairman Burdick at 7:30 p.m. in the Board Room at Village Hall, 874 Main Street, Antioch, Illinois 60002.

ROLL CALL:

Roll call indicated the following members were present: Ipsen, Cole, Kaiser, LaReese, Keller and Baba. Attorney Magna was absent this evening. Also present were Chairman Burdick and Village Attorney Matt DeMartini.

MINUTES:

Member Keller stated changes for December 8 minutes as follows:

- On Page 1, the last paragraph, first line, the word “interrupted” should be “interpreted”.
- On Page 6, the third paragraph, the word “galloons” is spelled wrong and it should state natural “water” not “gas”.
- On Page 9, the seventh paragraph, last line, should state “designation” instead of “destination”.
- On Page 15, the second paragraph, the word “constitution” should be “consultation”

Member Cole stated that on Page 5, last paragraph, the word “Jim” should state “James”.

MOTION:

Member Keller moved to approve the minutes with corrections. Member Baba seconded the motion.

ROLL CALL:

YES: 5 Cole, Kaiser, LaReese, Keller, Baba
NO: 0
RECUSE: 1 Ipsen
ABSENT: 0

Motion Carried

ANNOUNCEMENTS:

Mr. Robert Silhan explained that tonight would have been the continuation for the Tomasello/Pedersen petition. The letter of withdrawal was submitted for the record.

Mr. Silhan mentioned that a 2nd meeting would be needed for the month of February and would like to do a quorum check for the 23rd.

It was determined that a vast majority would be able to attend.

OLD BUSINESS:

PZB 05-08; PUBLIC HEARING: Proposed Zoning Variations to Sections 11-3-2 (O) and 10-7A-3 (B) (3) of the Antioch Village Code; and preliminary plat of subdivision within existing M-1, Limited Manufacturing Zoning District, PIN 02-05-300-063.

DISCUSSION:

Mr. Silhan stated he received a call from Attorney Mark Eiden, attorney for the petitioner, on Monday and then received, via overnight, copies of the landscape plan that is based on a revised subdivision plat.

He explained that in receiving these two days ago there hasn't been much time to review it. He asked the Board if they would consider another continuation, which merely might be to look at a preliminary plat of subdivision within the existing zoning.

Mr. Silhan mentioned that Keith Wisniewski is here representing the petitioner along with an Attorney from Mark Eiden's office.

Chairman Burdick requested that the staff give a recommendation to the Board between now and the continuous date.

Mr. Silhan replied that there might be other documents that will be needed and in the slight chance, he continued, there is still a variation required the hearing should then be continued.

He mentioned that if the plat of subdivision is within the existing zoning, a hearing would not be needed, but would still like a continuation at this time.

MOTION:

Member Baba moves to continue PZB 05-08 to February 23. Member Baba seconded the motion.

ROLL CALL:

YES:	6	Ipsen, Cole, Kaiser, LaReese, Keller, Baba
NO:	0	
RECUSE:	0	
ABSENT:	0	

NEW BUSINESS:

PZB 05-15; PUBLIC HEARING; Proposed Zoning Change from R-3 to R-5 for westerly part of the site and PUD for entire site at NW corner of Spafford and Naber; multi-family building with 16 dwelling units; Exceed Development, Charles V. Miles.

PUBLIC COMMENT:

The recording secretary reads the public hearing notice and administered the oath to the public.

DISCUSSION:

Charles V. Miles stated that the purpose of the hearing is to approve a 16 unit residential condominium development. 12 units restricted to seniors, 55 and older. The site, he further explained, has four PIN numbers, three are zoned R-3 and one is zoned R-5.

He explained the original petition was made for a PUD but the intention is to amend the petition and solely rezone one parcel from R-3 to R-5.

A zoning variance is being requested that currently allows 11 ½ residential units and they are requesting 16, he further explained.

He mentioned they conform to setback and parking requirements. It conforms to the general use of the intended, best use, for the property. It provides a good buffer between the residential and the commercial property along Lake St. The density is appropriate giving the transition between the residential and commercial, he further mentioned.

Mr. Miles explained that in regards to public improvements they intend to work with staff to ensure that the right quality of amenities and improvements are provided to meet the quality that is required of their development.

He stated that in respect to the parking issues, between Exceed's building, the north of the subject's site, the subject's site and the dedication of parking from State Bank of the Lakes there will be a total of 49 parking spaces.

Between the office, he explained, there is a requirement of 23 and the subject requires two per unit for 32 with a total of 55, in which, they have 49. He further explained at a less stringent interpretation for senior housing 1.05 parking spaces are required that would give a requirement of 40 parking spaces. A shared parking agreement with State Bank, Exceed and the subject's site will be executed, he stated.

He mentioned that they intend to consolidate the parcels so they will submit a revised plat. The property will be deed restricted to ensure that the property will not be sold to individuals that don't qualify as seniors, he further mentioned.

Richard Miller of 1002 Spafford stated that he's concerned with the sewer, the sewer should be upgraded. He asked what if State Bank was to be sold again, what insurance would there be they would continue sharing the use of the parking spaces.

Mr. Miles replied that in calculating the P.E.'s there is a difference of 5, in comparison to what could be built on the site, which makes the difference not very significant. He further replied that he's unaware of problems homeowners on Spafford are facing and would like to work with them to understand the issues better.

Mr. Miller explained they have problems with water back-up. He further explained there is a lot of seepage with heavy rains that overwhelms the sewer and since they have been realigned doesn't know how much less capacity they have.

Mr. Miles replied that they would be a benefit because they would have someone on their side to make sure the issue was addressed. He further stated that in regards to the parking it would be contractually dedicated and filed.

Mrs. Miller explained she believes the improvement would be great but has dealt with sewage in the basement and does not want to deal with it anymore.

Mr. Gary Quedenfeld of 503 Naber asked where the entrance and exit will be.

Mr. Miles pointed to the overall layout, the utility layout and the parking.

Mr. Quedenfeld asked if he feels it would fit in with the surrounding residential.

Mr. Miles replied that it is zoned R-5 and if it was intended for single family that's what it would be zoned.

Ms. Mary Turner of 1021 Osmond asked where the parking was going to be located.

Mr. Miles answered the parking to the west of the building has 10 parking spaces with 2 handicap spaces, to the north there is 23 and 16 to the northwest, all within 80' of the building.

Ms. Turner asked if there will be assigned parking spaces.

Mr. Miles replied that he liked that idea but has not decided, the assumption is they will have assigned parking spaces.

Ms. Turner asked how many of the units will be dedicated to seniors.

Mr. Miles answered 12 out of the 16 units.

Member Cole stated only 2 parking spaces.

Ms. Turner asked what the other four are.

Mr. Miles explained the other four are end units. There is a common entrance on the back side of the building with an elevator to the 12 units, 6 units on the 2nd level, 6 units on the 1st and each of the corners have 2 levels, he further explained.

Chris Grove of 485 Naber stated he's concerned with the parking spaces to the west. It indicates 3.6' away from the property line. There is a certain buffer area according to Village Ordinance for commercial and residential areas which seems much smaller than the current Ordinance would allow for a PUD, he further stated.

He asked what the possibility is of moving the parking spaces to other locations where there is curbing and landscaping areas so that parking could be eliminated and moved to other areas of the property that would allow for a nice buffer.

He also suggested a 6' PVC fence and additional trees that would screen the lighting that would come from the condos and parking lot.

Mr. Miles replied that he's amending the petition to be rezoned to R-5 from R-3 for the western most parcel so they have adjacent residential.

He further explained that they do anticipate buffering with shrubbery along the property line but does not have any information on the fence at this time.

Mr. Miles explained there will be parking curbs to stop from overhanging in a parking space but is willing to talk about what else can be done.

Mr. Bill Schneider, owner of 993 Spafford, stated that he would like to see the application done proper and fair.

Member Ipsen mentioned that it looks as though the ingress and egress is not on the subject's property; at the office buildings north sidewalk from Spafford into the parking lot.

He further mentioned that on the next plat it looks as though a temporary easement was granted but then there is a note that states permanent easement of 26'. He asked if that had been purchased from the bank.

Mr. Miles replied that it is in the purchase agreement but they want to re-subdivide the property. He explained that one parcel is going to be the office building, extending to 492 Lake St. and going south to the property boundary of the proposed site, so there would be two parcels in the end.

Member Ipsen explained that he's not a great fan of R-5, especially in existing neighborhoods. Entering in on Naber for multiple housing seems to be a problem, he further explained. He stated that 11 units are allowed and 16 just doesn't seem probable.

Attorney Matt DeMartini asked if a mixed senior use has been done before in the state of Illinois.

Mr. Miles responded no.

STAFF:

Mr. Nilsen explained that it became clear that this hearing would need to be continued due to additional requests on behalf of the applicant such as the preliminary plat and the variation request which became apparent when the plan was reviewed against the PUD Ordinance. The PUD is not a vehicle for increasing the density he further explained.

He mentioned that some of the issues with the development are:

- Necessary code variations for the increase in density.

- Need for public improvements including street improvements to the Naber right-of-way.
- Need for a clean subdivision plat with cross access agreements, multiple parcels and the rezoning of certain parcels.
- Resolution of the parking issues.
- Necessary deed restrictions and/or covenants.

Chairman Burdick explained that this is an old neighborhood and it seems from the comments made by the public they would like to keep it in context of that type of neighborhood. He further explained that they should stay in the realm of zoning, not over zoning. You can build 11 but ask for 16, it's starting to go overboard, he believes.

The parking is an issue because the people should not have to go downtown to park, if the land is taken from the bank and re-subdivided into the parcel then it would be fine, he stated. Over developing and over using the parking facilities does not seem to be a good idea.

Member Baba stated, to continue means to give the developer an opportunity to say, in concept, they are agreeing with this but yet more needs to be provided. He asked if there is a concern with how this conforms, where the density is great, there is not an agreement with this proposal of any kind even if they conform with what Dustin is requesting.

Member Ipsen responded that a PUD does not allow over saturation; which is what is being requested.

Chairman Burdick asked if a recommendation with lower density along with the additional comments can be included in their recommendation for a continuance.

Attorney Matt DeMartini replied that you can add it, and if the petitioner thinks it's feasible they can provide a lower density idea. He further replied that it doesn't need to be voted on at this time, suggestions can be made, or it can be voted on.

Member Kaiser stated that he'd like to see a plan with less density and an increase in handicap parking. The parking seems to be pretty far for seniors to have to walk, he further stated.

Mr. Miles replied that the closest parking is designated to the development and the rest is designated to the office building. He further explained that he can go to 11 units but asked if bigger units and more children is wanted or senior age restricted development.

Chairman Burdick answered that more parking spaces would still be required.

Mr. Miles stated that the whole side of the property can be parking but open space was set aside so it can be an amenity to the development. He asked what was requested, pavement and a building, or open space.

Member Burdick mentioned that it seems hard to believe that 32 parking spaces can be put there.

Mr. Miles answered that if he goes with an affordable program such as a zone seeking public funding such as a low income housing tax credit he would need 1.05 to qualify.

Chairman Burdick stated that another senior housing development in Antioch makes it impossible to find parking and when parking is found it's very tight.

Mr. Miles replied that he'd like to do a research project so he can see what everyone else is doing and revise the plans to do what is best.

Member Cole asked Mr. Silhan when the square footage is calculated per dwelling unit is that taking the whole land area or just the building area.

Mr. Silhan answered the land area, which means 12.4 units per acre maximum density.

Mr. Miles explained that per the existing zoning code he can build an apartment complex or a low income housing project but instead would like to create value to the neighborhood.

Mrs. Miller stated she feels threatened by that comment.

Mr. Miller suggested putting garages underneath the units.

Mr. Miles replied that is a good suggestion and would check to see if that was even possible.

Mr. Miller asked what the building was going to be made out of.

Mr. Miles answered pre-cast brick facade.

Gary Quedenfeld stated he also feels threatened by the comment of a condo or low income housing. He suggested putting houses up instead.

Mr. Miles replied that he paid more than double what a house would be worth if he built one.

MOTION:

Member Ipsen made a motion to continue PZB 05-15 to February 23 with information on sewer capacity, buffer areas, screening, lighting, density, parking, deed restrictions, concerns with dumping traffic on Naber and configuration with the footprint.

Member Cole seconded the motion.

ROLL CALL:

YES: 6 Ipsen, Cole, Kaiser, LaReese, Keller, Baba
NO: 0
RECUSE: 0
ABSENT: 0

Motion Carried

NEW BUSINESS:

P&Z BOARD BYLAWS

DISCUSSION:

Mr. Silhan stated that he made updates to the ZBA bylaws that was drafted in 1985. He further stated the ZBA is now combined, the new language is in bold and items that are to be deleted have a line through it.

Chairman Burdick stated on page 6, (B) Continuances; it doesn't imply that the petitioner or representative for the petitioner needs to be at the hearing in person. The word "or" should be changed to "and".

Member Baba stated that there has been a couple of times when we have come to the meeting and wasted time. He further stated that people are still getting hearing dates prior to us knowing if they can deliver the goods or not.

Mr. Silhan responded that the staff will work a lot harder to have more control; especially at the initial application.

Member Cole asked what other communities do in regards to continuances.

Attorney Matt DeMartini replied that it's usually what they develop over time as a habit or custom.

Member Keller stated the idea of seven day prior written notification is a good idea so if it does get postponed everything does not need to be reread.

Chairman Burdick explained that the petitioner or representative has to be present when asking for a continuance.

He mentioned on page 6, Section 4 7, the last sentence, "upon said applications and forward same" should be deleted.

Member Cole stated on page 6, Section 4 7, the last sentence, "establishment" should state "established".

Chairman Burdick stated on page 9, Section 2, "newspaper published in the Village" should state "published in a local newspaper".

Member Cole stated on page 9, Section 3, the word "being" should be deleted and if someone from the audience needs to speak it should be stated that they need to give their name and address before they speak.

Attorney Matt DeMartini mentioned that it should be entered in Article 9, Section 4, and state something like “all who testify shall state their name and address”.

Mr. Silhan explained he will make the changes based on their discussion.

MOTION:

Member Ipsen moved to adjourn at 9:20 p.m. The motion was seconded by Member Keller.

Motion Carried

Respectfully Submitted,

Katherine A. Gallagher
Permits Coordinator